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Report of the Secretary-General on the situation in the Central African Republic

I. Introduction

1. This report is submitted pursuant to the request of the Security Council contained in a statement made by its President on 26 September 2001 (S/PRST/2001/25) in which the Council requested me to continue to keep it regularly informed of the activities of the United Nations Peace-Building Support Office in the Central African Republic (BONUCA) and the situation in that country. The present report covers the activities of BONUCA and new developments in the Central African Republic in the political, security, military, social and economic spheres since my last report dated 2 January 2002 (S/2002/12). The report also addresses developments in the field of human rights and in relations between the Central African Republic and certain neighbouring countries.

II. Political situation

2. The shift towards a civil tone in political discourse, that emerged in late 2001, has been considerably enhanced. The gradual trend towards the restoration of trust and calm led to a positive development in the relations between the Government and the opposition and to the return of a considerable number of civilian and military refugees. Thus, following President Patassé's appeal for the return of refugees on 31 December 2001, and with the assistance of BONUCA, three members of Parliament from the Rassemblement Démocratique Centrafricain, the party of former President Kolingba, who had taken refuge in the Democratic Republic of the Congo following the failed putsch of 28 May 2001, returned to Bangui and resumed their seats in the National Assembly. Three hundred and seven Central African military refugees also returned to their country and reported to the Office. Many other Central African civilian refugees also followed suit.

3. The completion of the trial for the attempted coup d'état of 28 May 2001 would have no doubt helped to ease the political tension caused by the political and military unrest of 2001. The trial had commenced on 15 February 2002 and was public but had been interrupted on 12 March 2002 because the defence attorneys had withdrawn in protest against the fact that one of their colleagues had been barred from appearing in court. The trial, which was adjourned until the next session of the criminal court, could resume in June 2002.

4. The political dialogue which BONUCA helped to start is continuing. The first meeting of the political parties and members of Parliament, organized by the Office on 18 and 19 February 2002, led to a rapprochement between the majority and the opposition. A second meeting is scheduled for 14 and 15 June 2002 to consider this process. President Patassé has not yet granted an audience to the opposition leaders. However, most of them agreed to accompany him in April on his trips to the northern region of the country (to allay the concerns of the population over the continuing insecurity), to Ndjaména (for his meeting with President Déby) and to Malabo (for the laying of the foundation stone for the Parliament of the Central African Economic and Monetary Community (CEMAC) of which he is the Chairman-in-office).

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5. However, some differences remain between the Government and the opposition which, moreover, remains divided over the issue of a possible rapprochement with President Patassé. One of the biggest points of discord is the holding, towards the end of 2002, of municipal and regional elections. The opposition is of the view that the conditions have not been met for the holding of elections and criticizes the Government for failing to involve it in the preparations for such elections. For their part, the Central African authorities are determined to live up to the commitment made by the Head of State in his new year's message with respect to the holding of elections. That is why they are currently conducting a voter registration process while at the same time approaching many donors for possible financial assistance for the holding of the election, which is estimated to cost 4.5 billion CFA francs. Meanwhile, both the opposition political parties and the majority party are riven by internal discord.

6. The Government is concerned over the plight of hundreds of military returnees who are viewed as deserters and will most likely not be reintegrated into the army, in which case they would pose a threat to peace and stability in the country. That is why BONUCA is exploring, together with the United Nations Development Programme (UNDP) and the Central African authorities, possibilities for the socio-economic reintegration of such returnees so that they are not tempted, as a result of inactivity, to try to subvert the institutional order once again.

III. Security and military situation

7. There has been a relative improvement in the security situation in both Bangui and the provinces. Thus, the curfew that had been in force since the attempted coup d'état of 28 May 2001, was lifted for good on 9 May 2002. However, there is still some insecurity (armed robbery and sporadic shots at night in Bangui, activities of highway robbers in the interior) in the country mainly because of the proliferation of light weapons. Consequently, under the leadership of BONUCA, a disarmament operation was launched on 23 January 2002 with help from UNDP and in liaison with the Government. To date, 9 heavy weapons, 681 light weapons, 1,167 grenades, 94,263 rounds of ammunition, 8 shells, 37 rockets, 890 magazines and 5 sets of transmission equipment have been recovered. A formal arms destruction ceremony will be held on 13 June 2002.

8. Most of the refugees returned following the gradual improvement in the security situation. Thus, about 600 of the original 1,250 soldiers registered at the Bokilio camp (Democratic Republic of the Congo) reportedly remain there. As far as the civilian refugees are concerned, the majority of them have been transferred to the Molé camp in the Democratic Republic of the Congo, 44 kilometres from Bangui. The others preferred to go to Bétou in the Republic of the Congo. All in all, 7,000 of the approximately 23,000 Central African refugees who originally went to the Democratic Republic of the Congo, are reported to remain in that country.

9. Concerning the deployment in the Central African Republic of the force of the Community of Sahelo-Saharan States (CEN-SAD), it should be noted that, in addition to the deployment of approximately 100 Libyan troops under a bilateral agreement, a 50-man Sudanese contingent has been in Bangui since January 2002. A Djiboutian contingent of about 50 men arrived in the Central African Republic in February 2002. A 165-man contingent from Burkina Faso is scheduled to arrive in October 2002.

10. The study on the harmonization of the various initiatives taken at the regional level to restore calm and stability in the Central African Republic (the Khartoum and Syrte CEN-SAD initiatives, the Libreville and Brazzaville CEMAC initiatives, the Tripoli initiative of the Organization of African Unity (OAU)), requested by the Security Council in the press statement made by its President on 10 January 2002 (SC/7262), is being carried out. I will make my recommendations to the Security Council in that regard in due course.

11. As far as the restructuring of the armed forces is concerned, the BONUCA military team continues to give technical advice to the Central African military authorities. In January and February 2002, the team, together with UNDP and the Ministry for Restructuring, helped to draw up a plan of action covering training and rehabilitation of the infrastructure of the restructuring programme. This programme can still not be implemented because of a lack of funding. That is why I once again urge those partners who have made commitments in this regard to honour them.

12. Concerning activities geared to the Central African armed forces, the Office organized from 12 to 15 March 2002, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and in partnership with the Central African Ministry of Defence, a training seminar on a culture of peace for military personnel. The seminar brought together 250 military staff of all grades. The training was part of a vast campaign to enhance awareness of the culture of peace initiated by BONUCA in March, April and May 2002, which covered Bangui, the Sibut and Bambari regions situated in the centre of the country, 180 kilometres and 380 kilometres respectively, from Bangui, and Bouar, 450 kilometres to the west of the capital.

13. The BONUCA civilian police team continues to monitor the security situation of returnees to Bangui for whom it provides accommodation facilities as or when necessary. In the area of training, this team organized a training course on investigation techniques in February and March 2002 for the Central African police and another course in May 2002 on the enforcement of economic and financial rules and regulations. Another course on the maintenance of law and order was also organized in June 2002 for the Central African gendarmerie.

IV. Social situation

14. The Central African Republic is still facing the problem of salary, pension and scholarship arrears. As at 30 April 2002, without taking into account the 12 months of salary arrears inherited from the Kolingba regime, the situation was as follows: 14 months of arrears for police officers; 16 months for armed forces personnel; 18 months for public officials. However, since January 2002, the Government has paid three to four months of salaries from its own resources.

15. The climate of peace currently prevailing in Government/labour relations remains fragile because of the continuing salary crisis. Workers continue to respect the truce signed with the authorities since last year, which was renewed on 22 March 2002 with the signing, in the presence of BONUCA, of a codicil to the joint Government/trade unions communiqué of 6 March 2001.

16. The monitoring and arbitration committee established under the terms of that communiqué has resumed its activities and should soon carry out an evaluation on how both sides are fulfilling their commitments. It should be noted that trade union leaders, who had fled the country following the failed putsch of 28 March 2001, have all returned to Bangui.

V. Economic situation

17. The economic situation continues to give cause for serious concern. The Central African Republic still does not have a formal cooperation programme with the Bretton Woods institutions. Until 31 March 2002, it only had a reference framework for six months. Following the most recent Government mission to Washington from 8 to 19 April 2002, which was led by the Central African Prime Minister, a review meeting was held in Paris on 29 May 2002. The Government is optimistic that an agreement will be reached soon. The case of the Central African Republic should come before the Executive Board of the International Monetary Fund (IMF) in early July 2002. Under the most optimistic scenario, the initial disbursements could not be made before the third quarter of 2002.

18. The Central African Republic has not received any budgetary aid since January 2001. The country's serious financial difficulties, caused by this situation, could undermine the labour truce. I have remained in contact with the IMF and World Bank authorities to prevail upon them to take into account the special circumstances of the Central African Republic and provide it with the assistance it needs.

VI. Human rights situation

19. The overall human rights situation has been primarily characterized by the commencement of the trial of the alleged instigators of the failed putsch of 28 May 2001. About 700 persons were to appear before the Criminal Court, 628 of whom failed to appear. Exceptionally, the session had been postponed until 30 March 2002 to bring the trial to completion. On 8 March 2002, the Criminal Court ordered that Mr. Zarambaud (counsel for 59 persons accused of involvement in the failed coup) should be removed from the case because of his possible involvement in the attempted coup d'état. That removal, which was deemed arbitrary by the Central African Bar Association caused all the counsels in the case to

withdraw as a group. That unusual situation led to the interruption of the proceedings, which were thus postponed until the next session of the Court.

20. The Criminal Court nevertheless found Colonel Georges Touaguendet, former deputy chief of staff of the territorial army, guilty of the murder of two adolescents whom he had shot down in July 2001. The accused was sentenced to 20 years of forced labour and the payment to the civilian parties of damages and interest in an amount of 40 million CFA francs. This sentence was criticized by public opinion, which regarded it as a lenient verdict.

21. During the period under review, on 2 May 2002, the independent deputy Hilaire Sébalet, who had been imprisoned for criminal complicity since 1998, was released by the Bangui court of appeals. This individual, who had not been able to sit in Parliament since his election, has just taken up his seat in the National Assembly.

22. While extrajudicial executions have declined considerably, they have not actually stopped. On 19 January 2002, at Bossangoa (in the north), two people were shot down by soldiers. This act followed an uprising of the inhabitants who were protesting against the execution of a citizen by a soldier a few days earlier. The phenomenon of popular justice continues to hold sway in rural areas.

23. Obstacles to freedom of assembly and/or freedom of association were reported during the period under review. The Rassemblement Démocratique Centrafricain, the main party of the parliamentary opposition, which was suspended in June 2001, has still not resumed its activities, although the legal period of suspension of three months expired long ago. Similarly, a meeting for the political return of the opposition party Mouvement Démocratique pour la Renaissance et l'Évolution de la Centrafrique, planned for 9 February 2002, was prohibited, as well as that of a moderate opposition party, Parti Social Democrate, planned on 2 March 2002, since the Minister of the Interior considered that it was not a good time to organize meetings and other political gatherings.

24. Since there are no prisons in Bangui, offices of the gendarmerie, police stations and/or offices of the survey, research and documentation section attached to the Presidential security unit continue to be used as ad hoc detention centres. The BONUCA human rights team visited detention centres in Bangui and in the provinces in April and May 2002 and met over 350 detainees. In general, the conditions of detention are still extremely worrying because of overcrowding and the lack or chronic absence of food, sanitary facilities or medical care. Nevertheless, with a view to rehabilitating the prisons and making them more humane, material and financial assistance has been provided by the Catholic church, particularly in Bouar and Bangassou, situated in the west and east respectively.

25. The legal system is still facing serious difficulties. This situation is particularly apparent in the provinces where, in the absence of judges, some administrative authorities are taking the place of judges and issuing judicial decisions. Even more frequently, in remote regions, the single judge system leads to a concentration of power. Indeed, in some sub-prefectures, a single judge is at the same time examining magistrate, prosecutor and presiding judge, which is detrimental to respect for human rights.

26. In the context of its mission to contribute to national capacity-building in the area of the promotion and protection of human rights, BONUCA, in partnership with the Ministry of the Interior, the municipality of Bangui and the mayors' association of the Central African Republic, organized in Bangui, from 26 to 28 February 2002, a national training seminar on human rights, designed particularly for mayors and district heads. In the provinces, the Office continued its training activities for law enforcement officers, including police officers and gendarmes. In May 2002, this training took place in Bangassou and involved law enforcement officers of the Mbomou prefecture (in the east).

27. Furthermore, training in human rights and in international humanitarian law was provided to 19 Central African soldiers, members of the rapid deployment group responsible for the security of United Nations personnel in the Central African Republic. The objective was to transmit knowledge about national and international legal instruments so that they would better respect human rights in the fulfilment of their tasks in the field.

28. BONUCA is continuing its awareness-raising activities in the area of human rights through the dissemination of radio programmes on national radio and private stations. Moreover, the information unit of the Office is working to make the role and activities of

BONUCA more visible and is also maintaining its support for the media of the Central African Republic. In this respect, it organized, in June 2002, a training session on conducting an audio-visual debate and another session for press attachés.

29. In the context of strengthening the activities of the Office, which I had recommended in my report of 21 September 2001 (S/2001/886), and which the Security Council had accepted on 26 September 2001 (S/PRST/2001/25), a regional branch of the human rights section will open on 15 June 2002 in Bouar (450 kilometres to the west of Bangui). This decentralization of activities in the area of human rights will make it possible to publicize and disseminate the fundamental principles of human rights within the country and ensure judicial assistance for the victims of human rights violations.

VII. Relations between the Central African Republic and Chad

30. In order to promote the normalization of relations between Chad and the Central African Republic, the deterioration of which had contributed to sharp tensions on the border between the two countries since November 2001, President Patassé visited Ndjaména on 10 April 2002.

31. The Head of State of the Central African Republic had made a visit earlier to the northern region of the country, particularly the towns of Batangafo and Kabo, to reassure the villagers who had been the victims of atrocities, fires and looting. He was accompanied, on this occasion, by opposition leaders, and by my Representative at Bangui, the representative of the Office of the United Nations High Commissioner for Refugees and the representative of the World Food Programme.

32. The meeting between President Patassé and President Déby helped reduce tension between their two countries, since the two Heads of State decided on an immediate opening of the borders and a meeting of the border administrative authorities. They also decided to establish a joint ministerial commission responsible for investigating the question of tension on the border. This ministerial commission met at Ndjaména from 13 to 17 May 2002.

33. At the end of their meeting, President Patassé reaffirmed that the Bozizé affair is not a political problem and that the former Central African chief of staff may safely return to Bangui if he wishes. As to President Déby, he said that Mr. Bozizé, Mr. Miskine (a Central African/Chadian national in the service of President Patassé) and Mr. Djembété (a Chadian opposition figure who has taken refuge in Bangui) should go back to their respective countries.

34. It is very unlikely that Mr. Bozizé will agree to return to Bangui in the current situation. He is persisting in his demands, including the restoration of his grade, repair of his residences and security guarantees. The Bozizé problem therefore remains intact and, until an appropriate solution is found, the long-term normalization of relations between the Central African Republic and Chad could take more time than envisaged. Conciliation efforts are continuing, however, particularly in the context of CEMAC, at the level of the ad hoc committee of heads of State to promote a resumption of the political dialogue in the Central African Republic, the presidency of which is held by President Bongo.

VIII. Relations between the Central African Republic and Cameroon

35. The Security Council will recall that in February and March 2001, acute tension developed between the Central African Republic and Cameroon concerning the border between these two countries. Following a fact-finding mission initiated by BONUCA, the tension had eased and the two parties had agreed to convene their joint commission for cooperation, in particular to consider the demarcation of the border. However, the attempted coup d'état of 28 May 2001 and the ensuing disturbances made it impossible to hold the meeting.

36. The joint commission for cooperation between the Central African Republic and Cameroon held its tenth session at Bangui from 2 to 4 May 2002. It decided to revitalize and strengthen bilateral cooperation between the two countries and agreed on the demarcation of the common border, and the placement of markers along it.

IX. Observations

37. I should like to stress that, since my last report of 2 January 2002 (S/2002/12), the overall situation in the Central African Republic has developed favourably in many respects. The indefinite lifting of the curfew, the return of a large number of refugees, the continuation of social dialogue between the Government and the trade unions, and the start of political dialogue between the Government and the opposition, are tangible signs of this. These efforts should be encouraged, since they could be jeopardized if they are not supported.

38. The difficult economic and financial situation of the Central African Republic is liable to shatter the social truce. On its expiry, on 22 July 2002, the workers are not excluding the possibility of resuming social protests, which would threaten peace and stability. It is therefore important for the Government to be able to ensure the regular payment of salaries, as agreed under the terms of the joint communiqué signed with the trade unions. To this end, the Central African Republic should have access to external financial assistance, which has been lacking since January 2001. It is for that reason that I once again invite the authorities of IMF and the World Bank to take into account the special circumstances of this country and rapidly conclude a cooperation programme. I also encourage the authorities of the Central African Republic to continue the reforms recommended by the Bretton Woods institutions and the actions to stabilize public finances.

39. The extremely volatile nature of the situation in the Central African Republic must be borne in mind. The accumulation of salary, pension and scholarship arrears, latent social tension, and the antagonism in the relations between the majority and the opposition create conditions which could lead to all kinds of disintegration.

40. Beyond the recurrent financial difficulties experienced by the Central African Republic, the situation of military returnees is also a serious cause for concern, as I stressed above. In order to maintain peace and stability in the country, an appropriate solution must be found to the fate of the soldiers who will not be reintegrated into the army. It is for that reason that I am making an advance plea to the donors and partners of the Central African Republic to provide financial assistance to the socio-economic rehabilitation programmes that will be formulated for the benefit of former military personnel.

41. I congratulate President Patassé on the initiatives which he has already taken to facilitate the political and social dialogue, and encourage him to meet the opposition and trade union leaders, as he has promised. My Representative, General Lamine Cissé, and BONUCA, will continue their efforts in this respect.

42. As indicated above, the Central African Republic has tried to improve its relations with its neighbours in recent months. This normalization is likely to create a calmer atmosphere in the country, which should enable the authorities to continue their efforts for national reconciliation and the restoration of lasting peace. It is also clear that, in view of the complexity of the geopolitical realities of the Central African Republic, lasting peace and tangible progress can be achieved only through cooperation and mutually beneficial relations in the subregion. I therefore once again encourage the leaders of the subregion to pursue their efforts to build trust and promote constructive links with each other.

43. In conclusion, I should like to pay tribute to my Representative, General Lamine Cissé, and all the personnel of BONUCA, who, along with the personnel of the United Nations system in the field, are continuing, with courage and dedication, to make a commendable contribution to the efforts being made by the Government and people of the Central African Republic for the consolidation of peace.